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UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION — SAN JOSE DIVISION
18

19 CHARLES NICHOLSON,
20 Plaintiff,
21 vs.
22 EXPERIAN INFORMATION SOLUTIONS,
INC.; EQUIFAX, INC.; BANK OF
23 AMERICA, NATIONAL ASSOCIATION;
FORD MOTOR CREDIT COMPANY;
24 WELLS FARGO BANK, NATIONAL
ASSOCIATION; WELLS FARGO CARD
25 SERVICES, INC.; HSBC BANK USA,
NATIONAL ASSOCIATION AND DOES 1
26 THROUGH 100 INCLUSIVE,
27 Defendant.
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Case No. 5:15-cv-04590-RMW

**STIPULATION AND ORDER TO
DISMISS WELLS FARGO**

The Hon. Ronald M. Whyte

Pursuant to the terms of the parties' contracts, Plaintiff CHARLES NICHOLSON ("Plaintiff"), and Defendant WELLS FARGO BANK, N.A., sued as "Wells Fargo Bank, National Association" and as "Wells Fargo Card Services, Inc." ("Wells Fargo" or "Defendant, collectively Wells Fargo and Plaintiff are referred to as the "Parties"), hereby stipulate and agree as follows:

1. The Parties may submit this matter to binding non-judicial arbitration;
 2. Any arbitration shall be conducted through AAA; and
 3. That Wells Fargo be dismissed from this action with prejudice pursuant to Federal Civil Procedure 41(a)(2), and that each Party shall bear its own attorneys' fees and costs as federal court action.

IT IS SO STIPULATED.

DATED: December 29, 2015

SEGARIA LAW
A Professional Corporation

By: _____ /s/ Elliot W. Gale

Elliot W. Gale

Attorneys for Plaintiff CHARLES NICHOLSON

DATED: December 29, 2015

SEVERSON & WERSON
A Professional Corporation

By: /s/ Rebecca S. Saelao
Rebecca S. Saelao

Attorneys for Defendant WELLS FARGO BANK, N.A.

I, Rebecca S. Saelao, am the ECF user whose identification and password are being used to file this Stipulation. I hereby attest that Elliot Gale has concurred in this filing.

/s/ *Rebecca S. Saelao*

1 Pursuant Rule 41(a)(2) of the Federal Rules of Civil Procedure, and based on the
2 stipulation submitted by Plaintiff and Wells Fargo, this action is hereby DISMISSED WITH
3 PREJUDICE in favor of arbitration as to Defendant Wells Fargo Bank, N.A., sued as Wells Fargo
4 Bank, National Association and Wells Fargo Card Services, Inc., and each party shall bear its own
5 costs and fees.

6 **IT IS SO ORDERED.**

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8 DATED: 1/5/2016
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11 Hon. Ronald M. Whyte
12 UNITED STATES DISTRICT JUDGE